

**Education Audit Appeals Panel
State of California**

Appeal of 2014-15 Audit Finding 2015-001
by:

Camino Union School District,

Appellant.

EAAP Case No. 16-06

OAH No. 2016091016

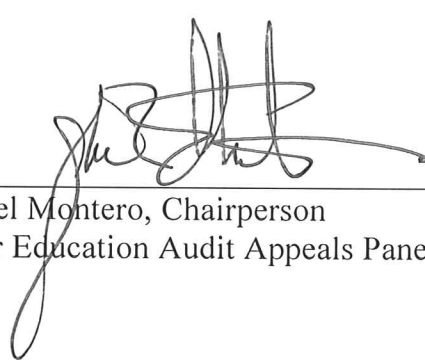
Decision

The Education Audit Appeals Panel has adopted the attached Stipulated Agreement of the parties as its Decision in the above-entitled matter.

Effective date: Aug. 28, 2017.

IT IS SO ORDERED.

Aug. 28, 2017
Date


Joel Montero, Chairperson
for Education Audit Appeals Panel

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9 BEFORE THE EDUCATION AUDIT APPEALS PANEL

10 STATE OF CALIFORNIA

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12 **IN THE MATTER OF THE AUDIT**
13 **APPEAL OF:**

14 **APPEAL OF FISCAL YEAR 2014-15**
15 **AUDIT FINDING 2015-001 BY CAMINO**
16 **UNION SCHOOL DISTRICT,**

17 **APPELLANT,**

18 **v.**

19 **CALIFORNIA STATE CONTROLLER,**

20 **RESPONDENT.**
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OAH No. 2016091016

EAAP Case No. 16-06

STIPULATED SETTLEMENT
AGREEMENT

(Ed. Code, §41344.1, subd. (b))

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23 Appellant CAMINO UNION ELEMENTARY SCHOOL DISTRICT (“Appellant”),
24 Respondent BETTY YEE, California State Controller, (“SCO”), and Intervenor DEPARTMENT
25 OF FINANCE (“Finance”) (collectively known as “the parties” and individually, each, a “party”)
26 agree to a complete settlement of the above-captioned matter as follows:
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B. In Audit Finding 2015-001, the Auditor determined that the District did not use the California Department of Education's approved continuance agreement form for two of the four pupils continuing in kindergarten for a second year, and as a result, the auditor disallowed the ADA reported for the two students in their second year of kindergarten, amounting to \$9,777 of Local Control Funding Formula funding received by the Appellant.

D. Appellant timely filed a request for formal appeal of Audit Finding 2015-01 (the “Appeal”) pursuant to Education Code section 41344(d), instituting the Appeal before the Education Audit Appeals Panel (“EAAP”)

F. To avoid the cost and uncertainty of litigation, the parties to this case agree to completely resolve this dispute on the terms and conditions described below.

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1. Appellant shall repay in full satisfaction of Audit Finding 2015-001 the sum of \$9,777.00, over a period of eight years without interest, or \$1,222 annually, following EAAP approval of this stipulated agreement.

2. The stipulated agreement fully and completely resolves all claims, demands, appeals, obligations, or causes of action arising from or relating to Audit Finding 2015-001. Accordingly, the parties expressly waive any right or claim to assert or pursue thereafter any claim, demand,

obligation, and/or cause of action relating to Audit Finding 2015-001.

3. The stipulated agreement is subject to and conditioned upon approval and adoption by EAAP, pursuant to Education Code section 41344.1 (b) and upon ratification by the Appellant's Governing Board.

4. This stipulated agreement may be executed in counterparts, each of which shall constitute an original. Facsimile and .pdf signatures by the parties and/or their designated representatives are deemed the equivalent of original signatures.

5. The parties shall bear their own attorneys' fees and costs relative to the Appeal.

Dated: 4/19/17

CAMINO UNION ELEMENTARY
SCHOOL DISTRICT

By: [Signature]
Officer of Governing Board
Camino Union Elementary School District

Dated: 4-20-17

OFFICE OF THE STATE CONTROLLER

By: [Signature]
JOHN DICKERSON
Counsel for Hon. Betty Yee
State Controller

Dated: _____

DEPARTMENT OF FINANCE

By: _____

Program Budget Manager
Department of Finance

Dated: _____

By: _____
ASHANTE L. NORTON
Deputy Attorney General
Attorneys for Department of Finance
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obligation, and/or cause of action relating to Audit Finding 2015-001.

3. The stipulated agreement is subject to and conditioned upon approval and adoption by EAAP, pursuant to Education Code section 41344.1 (b) and upon ratification by the Appellant's Governing Board.

4. This stipulated agreement may be executed in counterparts, each of which shall constitute an original. Facsimile and .pdf signatures by the parties and/or their designated representatives are deemed the equivalent of original signatures.

5. The parties shall bear their own attorneys' fees and costs relative to the Appeal.

Dated: _____

CAMINO UNION ELEMENTARY
SCHOOL DISTRICT

By: _____
Officer of Governing Board
Camino Union Elementary School District


Dated: _____

OFFICE OF THE STATE CONTROLLER

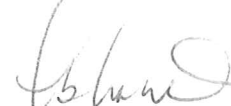
By: _____
JOHN DICKERSON
Counsel for Hon. Betty Yee
State Controller

Dated: 01 MAY 17

DEPARTMENT OF FINANCE

By: 
JEFF BELL
Program Budget Manager
Department of Finance

Dated: MAY 4, 2017

By: 
ASHANTE L. NORTON
Deputy Attorney General
Attorneys for Department of Finance
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